1		
2		
3		
4		
5		
6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
8		
9	MARQUISE DRUMWRIGHT,	Case No. 1:20-cv-00939-AWI-EPG (PC)
10	Plaintiff,	ORDER REQUIRING STATEMENTS FROM PARTIES REGARDING
11		SCHEDULE AND DISCOVERY
12	v.	FORTY-FIVE (45) DAY DEADLINE
13		
14	G. GOMEZ,	
15	Defendant(s).	
16		
17	The Court has screened Plaintiff's complaint and has ordered the case to proceed. Before	
18	scheduling this case, the Court will require each party to submit a statement regarding the	
19	schedule and discovery matters.	
20	The statements regarding the schedule and discovery shall be filed within forty-five days	
21	from the date of service of this order. They should be filed with the Court, titled "SCHEDULING	
22	AND DISCOVERY STATEMENT," and include the name of the party filing the statement.	
23	They shall address all of the following issues:	
24	i. A brief summary of the pa	rties' claims and/or defenses.
25	ii. The name and, if known, t	he address and telephone number of each witness,
26	besides expert witnesses, the party may call at trial.	
27	iii. A description by category	and location of all documents the party may use at
28	trial.	
		1

I

1	iv.	Whether any third parties, other than Plaintiff's institution of confinement, are
2		likely to have relevant documents.
3	v.	Whether the party intends to use expert witnesses.
4	vi.	If a settlement conference has not occurred, when the party will be prepared to
5		participate in a settlement conference.
6	Defendar	nt(s)' Scheduling and Discovery Statement shall also address all of the following
7	issues:	
8	vii.	Whether a third party subpoena directed at Plaintiff's institution of
9		confinement will be necessary to obtain relevant documents.
10	viii.	Whether Defendant(s) intend to challenge the issue of exhaustion and, if so,
11		when Defendant(s) will be ready to file a motion for summary judgment
12		regarding the issue of exhaustion.
13	ix.	Whether witness statements and/or evidence were generated from
14		investigation(s) related to the event(s) at issue in the complaint, such as an
15		investigation stemming from the processing of Plaintiff's grievance(s).1
16	х.	Whether there are any video recordings or photographs related to the
17		incident(s) at issue in the complaint, including video recordings and
18		photographs of Plaintiff taken following the incident(s).
19	Finally, any party may also include any information that the party believes would assist	
20	discovery and/or scheduling the case.	
21	IT IS SO ORDE	RED.
22	Dated: Ju	une 22, 2021 /s/ Encir P. Story UNITED STATES MAGISTRATE JUDGE
23		UNITED STATES MAGISTRATE JUDGE
24		
25		
26	¹ See Wood	Iford v. Ngo, 548 U.S. 81, 94-95 (2006) ("[P]roper exhaustion improves the quality of those
27 28	prisoner suits that an record that is helpfu	re eventually filed because proper exhaustion often results in the creation of an administrative of the court. When a grievance is filed shortly after the event giving rise to the grievance, entified and questioned while memories are still fresh, and evidence can be gathered and